

**Municipal Review Committee  
Town Hall Auditorium**

**March 22, 2004  
7:00 p.m.**

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Attendance: Phil Sgamma, Chairperson  
Dan Michnik, MRC Member  
Matt Balling, MRC Member  
Paul Shear, MRC Member  
Rich McNamara, MRC Member  
Scott Bylewski, Town Board Liaison  
Jeff Grenzebach, Planning Board Liaison  
James Callahan, Ex-Officio Member, Dir. of Community Development  
James Hartz, Asst. Dir. Of Community Development  
Al Hopkins  
Lou Visone  
Douglas Klotzbach  
Tom Hollander  
Susan King  
Clayt Ertel

Minutes of the previous meeting February 23, 2004

ACTION: Motion by Paul Shear, seconded by Dan Michnik, to approve the meeting minutes of February 23, 2004.

VOTING: All Ayes. MOTION PASSED.

Agenda Item I - Visone 4-lot Open Development Area  
8 acres off Goodrich Road located 1,200' North of Main Street.

Jim Callahan gave a brief history of the project review to date. Al Hopkins of Metzger Engineering gave a brief presentation of the project. The proposal includes four single-family homes on two-acre lots with the construction of a 1-acre pond. The property is zoned Agricultural and they are not proposing to change that. Paul Shear questioned the segmentation of the project from the rest of the land. They said that they do not have any additional plans for the rest of the property at this time. Mr. Hopkins said that if it were to be anything, then it would be low-density residential.

Matt Balling questioned how they are going to handle the private wastewater treatment. Mr. Visone said that they have yet to do their percolation tests, but they have had preliminary conversations with the Erie County Health Department. Mr. Hopkins said that County Code says that you need four feet of usable soil above the seasonal ground water. The design plans would have to be approved by the Town in the future, we are here to see if the use is acceptable.

**ACTION:** Motion by Matt Balling, seconded by Phil Sgamma, that the board recommend that the Town Board seek Lead Agency status and begin the thirty-day minimum comment period.

**QUESTION:** Phil Sgamma said that the applicant should be aware of the segmentation issue and be prepared to discuss that at the next meeting. Mr. Visone said that he is not sure what he wants to do with the rest of the property. He may do 40 lots in the future or he may do 100 lots in the future. This is all he can do at the present time.

**VOTING:** All Ayes.

**MOTION PASSED**

**Agenda Item II -** Victoria Park Phase III - Additional 3<sup>rd</sup> building measuring 8,550 square feet located at 10225 Main Street.

Jim Callahan introduced the project review history. Doug Klotzbach of K2M Architects presented the plans for the proposed action for D&J Properties. The project began in 1988 and built the first two buildings on the property. He had received concept approval for three buildings at that time. They have revised the site plan somewhat to reduce parking and improve traffic flow. They have hired Bill Clementowski to look at the private sewage disposal system and acquire the appropriate permits through the Erie County Health Department.

The plan shows 33% greenspace overall so they will meet the landscaping requirements. Paul Shear questioned that after the build-out of parking and building area the site will remain 33% landscaped area. Doug said that they need all the parking they can get because of the demand for the current tenants. The dumpster location has a lot to do with paving the rear property as well. Doug said that they will have to look at the exact location for the dumpster during site plan review.

Doug said that Mr. Frey is looking to have all of the reviews complete by fall so that they can build through the winter months. They are working with the Clarence Hollow Association on coordinating efforts of the Farmer's Market Committee.

**ACTION:** Motion by Matt Balling, seconded by Dan Michnik, that the board recommends that the Town Board issue a Negative Declaration on this proposed action based on the EAF part I, II, and III.

**VOTING:** All Ayes.

**MOTION PASSED.**

**Agenda Item III - Douglas Klotzbach 3-lot Open Development Area**

Douglas Klotzbach described his project. There are no jurisdictional wetlands or floodzone on the property. There would be an additional two single-family homes built on the adjoining six acres of land.

**ACTION:** Motion by Dan Michnik, seconded by Paul Shear, that the board recommends that the Town Board issue a negative declaration on the proposed action based on the EAF part I, II, and III.

**VOTING:** All Ayes. MOTION PASSED.

**Agenda Item IV- Eastern Hills Corridor Plan**

Jim Callahan gave an update on the project and went through the involved agency correspondence. He explained the concept plans prepared by TVGA Engineering Consultants for the property just East of the Eastern Hills Mall property. Phil Sgamma questioned the funding for this project. Jim Callahan said that they were notified by Sandra Lee Wirth's Office that \$500,000 is available to begin the construction of the roadway. The roadway will become a limited access roadway with controlled ingress and egress points along the way.

**ACTION:** Motion by Dan Michnik, seconded by Rich McNamara, that the board recommend that the Town Board issue a negative declaration on this project based on the EAF part I, II, & III as well as agency correspondence including the NYSDOT, ECDPW, ECDEP, and NYSDEC.

**VOTING:** All Ayes. MOTION PASSED.

**Agenda Item V- Gables on the Green**

Jim Callahan gave a brief history of the review process and an update of correspondence received from involved agencies. King Consulting Engineers have also submitted a response to the draft final environmental impact statement. The board also requested that the Town Attorney respond to a question on sewer agreements with the Town of Amherst and Erie County Sewer District #5. He has not been able to respond in writing yet. He will do so as soon as possible.

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ACTION: Motion by Paul Shear, seconded by Matt Balling, that the board table any action until the Town Attorney has responded to the MRC's request for additional information regarding the Town's contract obligations with Erie County and the Town of Amherst relative to wastewater treatment within the Ransom Creek watershed.

VOTING: All Ayes.

MOTION PASSED.

The board established their next meeting date as April 19<sup>th</sup>, 2004. Work Session to begin at 6:30 p.m.

Meeting adjourned at 8:17 p.m.